

**FLEIT, KAIN,  
GIBBONS, GUTMAN,  
BONGINI & BIANCO P.L.  
ATTORNEYS AT LAW  
MIAMI - FORT LAUDERDALE - BOCA RATON**

601 BRICKELL KEY DRIVE, #404  
MIAMI, FLORIDA 33131  
TELEPHONE: (305) 416-4490  
FACSIMILE: (305) 416-4489  
PBIANCO@FLEITKAIN.COM  
WWW.FLEITKAIN.COM

RECEIVED  
CENTRAL FAX CENTER

JAN 12 2005

### TELECOPIER TRANSMISSION

**DATE:** January 12, 2005

**TOTAL NUMBER OF PAGES:** 11  
(INCLUDING THIS PAGE)

**To:** OPR FAX LINE  
FAX NUMBER: (703) 872-9306

**REFERENCE:** 782-A02-012-3

**FROM:** Paul D. Bianco, Ph.D.  
DIRECT TEL: 305-931-9620  
FAX: 305-931-9627

**IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CONTACT US IMMEDIATELY**

#### MESSAGE:

**PLEASE DELIVER THE FOLLOWING COMMUNICATION CONCERNING THE BELOW IDENTIFIED CASE**

Applicant(s): P. Bonutti

Confirmation No. 6711

Application No.: 10/078,030

Attorney Docket No: 782-A02-012-3

Filed: February 19, 2002

Group Art Unit: 3731

For: METHOD AND APPARATUS FOR  
POSITIONING AN ANCHOR MEMBER  
(as amended)

Examiner: G. Jackson

1. Response to Final Office Action (10 pgs)

### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to:

Fax # (703) 872-9306

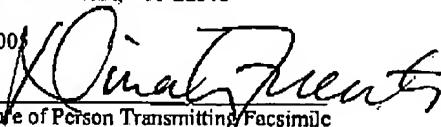
COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313

ATTENTION

On January 12, 2005

Dinah Fuentes  
Name of Person Transmitting Facsimile

Signature of Person Transmitting Facsimile



**\*\*NOTE\*\*** The information contained in this facsimile message may be privileged or confidential information. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employer or agent responsible for delivery of it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is neither intended nor permissible. If you have received this communication in error, please immediately notify us by telephone at the above number (call collect), and return the original you receive to us at the above address via the U.S. postal service.

RECEIVED  
CENTRAL FAX CENTER  
JAN 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): P. Bonutti Confirmation No. 6711

Application No.: 10/078,030 Attorney Docket No: 782-A02-012-3

Filed: February 19, 2002 Group Art Unit: 3731

For: METHOD AND APPARATUS FOR  
POSITIONING AN ANCHOR MEMBER  
(as amended) Examiner: G. Jackson

**RESPONSE TO FINAL OFFICE ACTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed November 16, 2004, please enter the following amendments and remarks into the file of the above-entitled application. In accordance with USPTO practice, each section of this Response begins on a separate sheet.

Applicant respectfully requests entry of this Response under the provisions of 37 C.F.R. §1.116(a) in that the amendments and remarks below place the application and claims in condition for allowance, or, at least, present the application in better form for appeal. Reconsideration and allowance of the pending claims in view of the following are respectfully requested.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to:

Group Art Unit 3731, at Fax # (703)872-9306,  
COMMISSIONER FOR PATENTS, Alexandria, VA 22313-1450  
ATTENTION: Patent Examiner Gary Jackson

On January 12, 2005

Dinah Fuentes  
Name of Person Transmitting Facsimile

Signature of Person Transmitting Facsimile